

SCANNED

UNITED STATES DISTRICT COURT
For The
WESTERN DISTRICT OF PENNSYLVANIA

U.S.A. vs. Leonard Smith

Docket Nos. 04-00017-001 & 04-00067-001

Petition on Supervised Release

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Leonard Smith, who was placed on supervision by the Honorable Thomas M. Hardiman sitting in the Court at Pittsburgh, PA, on the 2nd day of February 2005, who fixed the period of supervision at three years and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- Shall pay a \$600 special assessment.
- Shall participate in urine testing and drug treatment as directed.
- Shall abstain from the use of alcohol.
- Shall pay restitution of \$8,650 (combined - Docket Nos. 04-00017-001 and 04-00067-001)
- Shall pay any remaining restitution through monthly installments of not less than 10 percent of his gross monthly income.

02-02-05: Bank Robbery; 87 months' imprisonment followed by a supervised release term of 3 years.

07-21-06: Sentence of imprisonment reduced to 42 month; 90 days at Renewal for drug treatment added to supervised release conditions.

11-16-06: Released to supervision; Currently supervised by U.S. Probation Officer Donald A. Covington.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:

Your Petitioner reports that the supervised releasee has violated the following conditions:

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance.

Your Petitioner reports that a urine sample obtained on February 5, 2007, tested positive for marijuana. Your Petitioner further reports that urine samples obtained on September 27, 2007, October 2, 2007, and November 9, 2007, tested positive for marijuana, cocaine, codeine, and morphine.

The defendant shall participate in a program of testing and, if necessary, treatment for substance abuse as directed by the probation officer, until such time as the defendant is released from the program by the probation officer.

Your Petitioner reports that on May 24, 2007, the supervised releasee was instructed to participate in drug aftercare testing and treatment on a weekly basis. The supervised releasee failed to participate in the drug aftercare program on a weekly basis as instructed and has not attended any drug aftercare program sessions since November 13, 2007.

The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.

Your Petitioner reports that a notice was sent to the supervised releasee's address instructing him to report to the probation office on December 11, 2007. He failed to report to the probation office as instructed. Subsequently, a letter was mailed to the supervised releasee instructing him to report to the probation office on January 17, 2008. The supervised releasee failed to report to the probation office as instructed.

PRAYING THAT THE COURT WILL ORDER that the supervised releasee appear in Federal Court, Courtroom No. 3A, 3RD Floor, U.S. Post Office and Courthouse, Pittsburgh, Pennsylvania, with legal counsel on MARCH 6, 2008 at 1:30 PM to show cause why supervision should not be revoked.

I declare under penalty of perjury that the foregoing is true and correct.

Executed

on January 18, 2008

ORDER OF COURT

Considered and ordered this 25th day of Feb, 20 08 and ordered filed and made a part of the records in the above case.

J. L. Jansen Jr.
U.S. District Judge

Donald A. Covington
Donald A. Covington

U.S. Probation Officer

Roselyn Gerson
Roselyn Gerson

Supervising U.S. Probation Officer

Place: Pittsburgh, PA